
State Water Resources Control Board

FEB 09 2016

To: Frost Protection Diverters

ONGOING APPROVAL OF THE WATER DEMAND MANAGEMENT PROGRAM (WDMP) FOR DIVERSIONS OF WATER FOR FROST PROTECTION FROM THE MAIN STEM OF THE RUSSIAN RIVER, IN THE RUSSIAN RIVER WATERSHED IN MENDOCINO COUNTY

On February 13, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) approved the Water Demand Management Program (WDMP) template, proposed by the Mendocino County Farm Bureau (Farm Bureau) and the Mendocino County Russian River Flood Control and Water Conservation District (Mendocino District), pursuant to the Russian River Frost Protection Regulation (Regulation) (Cal. Code Regs tit. 23, § 862). The program is for diversions of water for frost protection from the main stem of the Russian River, in the Russian River Watershed in Mendocino County.

The State Water Board's continuing approval of the WDMP is contingent on compliance with the requirements of the Regulation. This includes submittal of an Annual Report by September 1 and ongoing consultation with National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) regarding development and implementation of a Stream Stage Monitoring Program (Monitoring Program), and conducting a Risk Assessment.

Division staff have reviewed the Annual Reports based on the template provided by the Farm Bureau and the Mendocino District submitted on or before September 1, 2015, and have determined that the WDMPs receiving this letter are in compliance with the reporting requirements described in subdivision (c)(5) of the Regulation. The Annual Report documents consultation with CDFW and NMFS and outlines the progress in development and implementation of the Monitoring Program and Risk Assessment.

This letter serves as notification that diverters using the WDMP template, who submitted their complete Annual Report by September 1, 2015, remain in compliance with the Regulation.

Please provide an updated Inventory of Frost Diversion Systems (Frost Inventory) and an updated schedule for consultation with NMFS and CDFW by February 26, 2016. The Frost Inventory should include a description of the frost diversion systems and their capacities, acres frost protected, and the source of water diverted for frost protection. The consultation schedule should include documentation of consultation with NMFS and CDFW to date, as well as a schedule for future consultation.

The second Annual Report must be submitted by September 1, 2016. The report must use the approved template provided by the Farm Bureau and the Mendocino District. The Division expects the report will contain a complete list of WDMP's utilizing the template, updates to the Frost Inventory, stream-stage monitoring data, and documentation of the progress toward completion of the Monitoring Program and Risk Assessment.

The Division anticipates that enough stream stage monitoring data will have been accumulated so that a risk assessment can be performed, and preliminary corrective actions, including notifying diversers of the potential risk, can be made. The report should also include documentation of ongoing consultation with NMFS and CDFW regarding the stream stage monitoring program and risk assessment, and an explanation of any deviation from recommendations made by NMFS or CDFW during the consultation process.

All submittals must include a signed and dated cover letter and must be complete. Electronic submittals must consist of a single pdf document, and must identify the name of the governing body in the subject line or body of the email. Incomplete submittals or submittals that deviate from the approved template will not be accepted.

Thank you for your diligence in working towards the goals of the Russian River Frost Protection Regulation. The updated Frost Inventory and related materials should be directed to Kyle Wooldridge at kyle.wooldridge@waterboards.ca.gov. WDMP program questions may be directed to Ms. Kathy Mrowka at (916) 341-5363, or by e-mail at kathy.mrowka@waterboards.ca.gov. Written correspondence should be addressed as follows: State Water Resources Control Board, Russian River Frost Regulation, Attn.: Kathy Mrowka, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Barbara Evoy, Deputy Director
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